

### § 554.3

more fairly and effectively to implement 49 U.S.C. Chapter 301.

[60 FR 17267, Apr. 5, 1995]

#### **§ 554.3 Application.**

This part applies to actions, investigations, and defect and noncompliance decisions of the National Highway Traffic Safety Administration under 49 U.S.C. 30116, 30117, 30118, 30120 and 30165.

[60 FR 17267, Apr. 5, 1995]

#### **§ 554.4 Office of Vehicle Safety Compliance.**

The Office of Vehicle Safety Compliance, investigates compliance with Federal motor vehicle safety standards and associated regulations, and to this end may:

- (a) Verify that manufacturers certify compliance with all applicable safety standards;
- (b) Collect field reports from all sources;
- (c) Inspect manufacturers' certification test data and other supporting evidence, including dealer communications;
- (d) Inspect vehicles and equipment already in use or new vehicles and equipment at any stage of the manufacturing, distribution and sales chain;
- (e) Conduct selective compliance tests; and
- (f) Utilize other means necessary to conduct investigations.

#### **§ 554.5 Office of Defects Investigation.**

The Office of Defects Investigation conducts investigations to implement the provisions of the Act concerning the identification and correction of safety-related defects in motor vehicles and motor vehicle equipment. It elicits from every available source and evaluates on a continuing basis any information suggesting the existence of a safety-related defect.

#### **§ 554.6 Opening an investigation.**

- (a) A compliance or defect investigation is opened either on the motion of the Administrator or his delegate or on the granting of a petition of an interested party under part 552 of this chapter.
- (b) A manufacturer is notified immediately by telephone of any compliance

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test failure in order to enable the manufacturer to begin his own investigation. Notification is sent by mail at the beginning of any defect or noncompliance investigation.

#### **§ 554.7 Investigation priorities.**

(a) Compliance investigation priorities are reviewed annually and are set according to the following criteria:

- (1) Prior compliance test data;
- (2) Accident data;
- (3) Engineering analysis of vehicle and equipment designs;
- (4) Consumer complaints; and
- (5) Market share.

(b) Defects inputs are reviewed periodically by an appropriate panel of engineers in consultation with the Office of Chief Counsel to determine whether a formal investigation should be opened by the Office of Defects Investigation.

#### **§ 554.8 Monthly reports.**

(a) *Compliance.* A monthly compliance report is issued which lists investigations opened, closed, and pending during that month, identifies compliance test reports accepted, and indicates how individual reports may be obtained.

(b) *Defects.* A monthly defects report is issued which lists investigations opened, closed, pending, and suspended during that month. An investigation may be designated "suspended" where the information available is insufficient to warrant further investigation. Suspended cases are automatically closed 60 days after appearing in a monthly report unless new information is received which justifies a different disposition.

#### **§ 554.9 Availability of files.**

All files of closed or suspended investigations are available for public inspection in the NHTSA Technical Reference Library. Communications between the agency and a manufacturer with respect to ongoing investigations are also available. Such files and communications may contain material which is considered confidential but has been determined to be necessary to the subject proceeding. Material which is considered confidential but has not been determined to be necessary to the